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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8
9 UNITED STATES OF AMERICA,)
10 Plaintiff,)
11 vs.)
12 GABINO ROMERO-JIMENEZ,)
EPIMEGNIO ROMERO-JIMENEZ,)
13 Defendants.)
14 _____)

3:21-cr-00039-RCJ-WGC

ORDER

15 The Government has filed a Superseding Indictment (ECF No. 55) with the following
16 charges: Count I – Defendants Gabino and Epimegnio Romero-Jimenez engaged in a conspiracy
17 to distribute a controlled substance; Count II – Defendant Epimegnio Romero-Jimenez possessed
18 with the intent to distribute a controlled substance on June 20, 2021; Count III – Defendants
19 Gabino and Epimegnio Romero-Jimenez possessed with the intent to distribute a controlled
20 substance on August 26, 2021; and Count IV – Defendants Gabino and Epimegnio Romero-
21 Jimenez pos-sessed a firearm while committing a drug trafficking crime on August 26, 2021.
22 On October 21, 2021, the Government admitted the substance found on August 26, 2021 was
23 not a controlled substance, and moved to dismiss Counts I, III, and IV and Defendant Gabino
24 Romero-Jimenez from this case. (ECF No. 59.) The Court grants this motion pursuant to Fed. R.
Crim. P. 48(a).

CONCLUSION

IT IS HEREBY ORDERED that the Government's Motion to Dismiss (ECF No. 59) is GRANTED.

IT IS FURTHER ORDERED that Counts I, III, and IV of the Superseding Indictment are DISMISSED.

IT IS FURTHER ORDERED that Defendant Gabino Romero-Jimenez is DISMISSED.

IT IS FURTHER ORDERED that Defendant Gabino Romero-Jimenez shall be released from custody.

IT IS SO ORDERED.

Dated October 21, 2021.

ROBERT C. JONES
United States District Judge